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Summary record of the 3rd meeting
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Chair: Ms. Bird ..... (Australia)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

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The meeting was called to order at 10.05 a.m.

Agenda item 5: Election of the officers of the Main Committees

1. **The Chair** said that the nomination of Mr. Oussihamou (Morocco) for the office of Rapporteur had been endorsed by the Group of African States.

2. *Mr. Oussihamou (Morocco) was elected Rapporteur by acclamation.*

Agenda item 141: Human resources management (A/73/71, A/73/89, A/73/183, A/73/187 and A/73/187/Add.1; A/INF/73/2)

3. **Ms. Thanabalasingam** (Office of Human Resources Management), introducing the report of the Secretary-General on the practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour (A/73/71), said that the report covered a six-month period, from 1 July to 31 December 2017. Future reports would cover one calendar year.

4. The report provided an overview of the administrative and legislative frameworks governing investigative and disciplinary processes, including the administrative instruction on unsatisfactory conduct, investigations and the disciplinary process (ST/AI/2017/1). The report also contained summaries of the cases for which disciplinary measures had been imposed, which set out the considerations taken into account by the Secretary-General when deciding what measures to impose. Care had been taken to ensure that the information provided did not breach the right to confidentiality of the staff members involved.

5. In addition, the report contained statistics on the number and types of cases received by the Office of Human Resources Management, the number of cases completed and the disposition of those cases, as well as information on the outcome of appeals contesting disciplinary measures imposed since the introduction, in 2009, of the new internal justice system. The report also contained information on the number of cases of proven misconduct or criminal behaviour that had been referred to Member States.

6. To ensure that staff members were aware of the most common forms of misconduct and criminal behaviour and the disciplinary consequences, the Office of Human Resources Management had produced a compendium of disciplinary measures, covering the period from 1 July 2009 to 31 December 2017. While equality of treatment and consistency were key considerations in determining appropriate disciplinary measures, each case was decided on its own merits, taking into account the particulars of the case, including any aggravating or mitigating circumstances.

7. **Ms. Armstrong** (Director, Ethics Office), introducing the report of the Secretary-General on the activities of the Ethics Office (A/73/89), said that the report covered the period from 1 August 2016 to 31 December 2017, as proposed by the Secretary-General in his previous report (A/71/334). During the reporting period, the Ethics Office had received 2,037 requests for services. The number of requests received in 2017 had been the highest of any year to date. Of those 2,037 requests, just over half had been requests for advice and guidance. Enquiries about outside activities accounted for one third of requests for advice and guidance.

8. The Office administered the financial disclosure programme. During the 2016 filing cycle, 5,504 filers had participated, with a 100 per cent submission rate. During the 2017 cycle, 5,811 filers had participated, with a 99.9 per cent submission rate.

9. During the reporting period, the Office had continued to conduct outreach, both in person and remotely. It had also launched the 2016 and 2017 Leadership Dialogues, entitled "Fraud awareness and prevention: how do I fit in?" and "Standards of conduct: what's expected of me?". Over 30,000 personnel had participated in the 2017 Leadership Dialogue.

10. The Office had informed staff members of the changes made to the policy on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations, which had been revised twice in 2017. The Office had received 112 enquiries related to the policy and had initiated 39 preliminary reviews. In 2017, it had responded to seven requests for preventive action against retaliation.

11. The Office had continued to provide support to other departments and offices and various United Nations entities in reviewing policies pertaining to ethics and integrity, including the Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat and the regulatory frameworks on the prohibited conduct of sexual harassment and sexual exploitation and abuse. Noting the ongoing collaboration among the members of the Ethics Panel of the United Nations, she said that she had chaired 15 meetings of the Panel, as well as a special meeting with the Secretary-General to commemorate the tenth anniversary of the Panel's establishment.

12. The report contained several recommendations for strengthening the independence of the Office, as

requested by the General Assembly in resolution 71/263.

13. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/73/183), said that with regard to the practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour, the Advisory Committee believed that it was important to continue to monitor security personnel, owing to the specific nature of the security function and the fact that it was often considered an aggravating factor.

14. With regard to the activities of the Ethics Office, there was a need for greater clarity relating to the information provided regarding baseline performance indicators and performance information in relation to ethics standards. An analysis of the benefits, lessons learned and requirements of the pilot global gift registry was needed to evaluate further its development and roll-out across the Secretariat. The Advisory Committee welcomed the steps taken to implement a regular vetting process for senior officials prior to their appointment.

15. The Advisory Committee was of the view that the recommendations for strengthening the independence of the Office were not substantiated in the report and that any revisions to the stature, reporting line and governance structure of the Office would have significant consequences for the Organization as a whole. The experience of the Office of Internal Oversight Services in reporting directly to the General Assembly was relevant in that regard, as was the reporting line to the Independent Audit Advisory Committee. Greater clarity and consistency were necessary in terms of the linkages between the recommendations for strengthening the independence of the Ethics Office and the Secretary-General's management reform proposals. Should the Secretary-General wish to make a fully justified proposal concerning the independence of the Office, a detailed report would need to include such matters as the workload, structure and functions of the Office and the implications for other offices in the Secretariat, including oversight bodies.

16. **The Chair** drew attention to the note by the Secretary-General transmitting the report of the Joint Inspection Unit on its review of mechanisms and policies addressing conflict of interest in the United Nations system (A/73/187) and the note by the Secretary-General transmitting his comments and those of the United Nations System Chief Executives Board for Coordination on the report (A/73/187/Add.1).

17. **Mr. Ismail** (Egypt), speaking on behalf of the Group of 77 and China, said that human resources management was a priority for the Group. The delivery of the Organization's mandates depended on the quality of its staff and the availability of resources. The Group supported reforms that would contribute to the creation of a highly motivated, diverse and dynamic workforce, with a view to making the United Nations more representative, transparent, accountable and responsive to the needs of Member States.

18. The Group emphasized the importance of the report on the practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour, which had been submitted in response to the General Assembly's request that Member States be informed of all actions taken in cases of established misconduct and criminal behaviour. The Secretary-General should continue to report thereon to Member States on an annual basis.

19. The Group welcomed the steps taken by the Secretary-General and the Ethics Office to implement a pre-appointment vetting process and to manage and mitigate conflicts of interest at the senior management level. Noting that the number of requests for the Office's services had increased by over 30 per cent in 2017, he said that the Group would be interested to know the drivers of the increase and the impact that the increase had had on the work of the Office. The Group would raise those issues during informal consultations.

20. The Group would seek further clarification regarding the recommendations for strengthening the independence of the Office. Given the Office's important role, the Group was of the view that revisions to its stature, reporting line and governance structure would have significant consequences for the Organization. A comprehensive analysis of all aspects of the recommendations would facilitate the examination of the issue by the General Assembly.

21. The Group welcomed the review of mechanisms and policies addressing conflict of interest in the United Nations system carried out by the Joint Inspection Unit. Prior to that review, the Unit had examined the issue of conflicts of interest only partially, in the context of its reviews on oversight, ethics, accountability, procurement and fraud.

22. **Ms. Demetris** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Armenia, Georgia and the Republic of Moldova, said that strategic human

resources management was at the heart of a more results-oriented, innovative and high-performing United Nations. Her delegation would support the Secretary-General in his efforts to make the Organization more effective, transparent and accountable. The European Union welcomed the Secretary-General's vision for human resources management, including the global human resources strategy, which would facilitate talent acquisition and management and contribute to a transformed organizational culture.

23. The effective delivery of the Organization's mandates depended on its staff, who were its greatest asset. At the same time, the actions of United Nations staff must reflect the Organization's core values of integrity, professionalism and respect for diversity. Ensuring that United Nations staff abided by the highest standards of conduct was a priority for the European Union. Her delegation welcomed the Organization's commitment to promoting a culture of transparency and accountability and ensuring that the United Nations was both a safe partner to work with and a safe place to work, free from harassment, discrimination, sexual exploitation and abuse, fraud and other criminal behaviour.

24. Her delegation was pleased that efforts were being made to investigate fully all alleged wrongdoing, and welcomed the efforts of the Ethics Office to mitigate potential conflicts of interest and protect whistle-blowers against retaliation. Such actions complemented ongoing efforts to streamline the Staff Regulations and Rules of the United Nations and other human resources policies and procedures, with a view to promoting an ethical culture built around a transparent set of rules that staff members understood.

25. **Mr. Conroy** (United States of America) said that the Ethics Office was a cornerstone of the Organization's efforts to be accountable. It underpinned the United Nations reform agenda by promoting a culture of integrity and improved ethical standards. The Office provided vital services, including the pre-appointment review process for senior officials, which was proving successful, and the financial disclosure programme.

26. He commended the Secretary-General for his leadership in strengthening protection against retaliation for reporting misconduct. The strengthened policies on retaliation and whistle-blower protection would help to transform the Organization's culture into one in which all United Nations staff felt able to report misconduct without fear of reprisals. Member States and the United Nations leadership must take all necessary measures to support such a transformation. His delegation supported efforts to strengthen the independence of the Ethics Office in order to improve accountability and performance at the United Nations, and would explore options for doing so.

The meeting rose at 10.30 a.m.